

was an actual and proximate cause of the harm to the claimant; and

(B) the manufacturer's liability for damages should be reduced in whole or in part because of such negligence or intentionally tortious conduct; or

(2) the claimant has moved to implead the supplier and the court finds, based on the court's independent review of the evidence contained in the record of the action, that under applicable law—

(A) the negligence or intentionally tortious conduct of the dismissed supplier was an actual and proximate cause of the harm to the claimant; and

(B) the claimant is unlikely to be able to recover the full amount of its damages from the remaining defendants.

(b) **STANDARD OF LIABILITY.**—Notwithstanding any preliminary finding under subsection (a), a biomaterials supplier who has been impleaded into an action covered by this Act, as provided for in this section—

(1) may, prior to entry of judgment on the claim against it, supplement the record of the proceeding that was developed prior to the grant of the motion for impleader under subsection (a), and

(2) may be found liable to a manufacturer or a claimant only to the extent required and permitted by any applicable State or Federal law other than this Act.

(c) **DISCOVERY.**—Nothing in this section shall give a claimant or any other party the right to obtain discovery from a biomaterials supplier at any time prior to grant of a motion for impleader beyond that allowed under section 6.

SEC. 8. EFFECTIVE DATE.

This Act shall apply to all civil actions covered under this Act that are commenced on or after the date of enactment of this Act, including any such action with respect to which the harm asserted in the action or the conduct that caused the harm occurred before the date of enactment of this Act.

Mr. GEKAS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Pennsylvania (Mr. GEKAS).

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 872, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

TERRY SANFORD COMMEMORATION ACT OF 1998

Mr. KIM. Mr. Speaker, I ask unanimous consent for the immediate con-

sideration of the bill (H.R. 3982) to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. TRAFICANT. Mr. Speaker, reserving the right to object, I would ask the gentleman from California (Mr. KIM) to explain this bill.

Mr. KIM. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from California.

Mr. KIM. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, H.R. 3982 designates the Federal building located in Raleigh, North Carolina as the "Terry Sanford Federal Building."

Senator Sanford was successful in many pursuits. He was the founder of three law firms and held positions on the boards of numerous universities and colleges and corporations in the technology industry. Senator Sanford was also president of Duke University from 1969 to 1984 and continued as president emeritus from 1995 until his passing in 1998.

However, in addition to his pursuits in private sector, Senator Sanford also was a dedicated public servant. From 1950 to 1953, he served on the North Carolina State Ports Authority. In 1953, he was elected to the North Carolina State Senate and served until 1955.

In 1961, he was elected Governor of North Carolina for a term, returning to private practice in 1965. After several years out of public office, Senator Sanford returned in 1986 with a successful bid to the United States Senate where he served North Carolina until 1993.

This is a fitting tribute to a dedicated public servant. I support the bill as amended and urge my colleagues to support it.

Mr. TRAFICANT. Mr. Speaker, further reserving my right to object, I yield to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am honored to have this opportunity to honor the life and memory of a truly great American, Terry Sanford. I want to thank the gentlemen from California and from Ohio for his support in legislation which is so important to the Sanford family and really to all the people whose lives that he touched.

I want to thank the chairman and ranking member of the Committee on Transportation and Infrastructure, the House majority leader, and the minority leader in their efforts in getting this legislation scheduled for consideration.

Terry Sanford learned growing up that hard work reaps rewards, that boldness is a requirement of leadership, and that possibilities exist that are only bound by the size of one's imagination.

He also learned that there is character in service, and serve he did, as you have already heard, as an FBI agent, keeping our streets safe from crime; as a paratrooper in World War II where he was decorated for his acts of valor; as a member of the North Carolina Senate, representing the values we hold dear in public service, and perhaps more importantly as governor of the State of North Carolina, for which he received the appropriate title of the education governor.

It is fitting that Harvard University named him as one of this country's 10 most effective governors during this whole century. His leadership continued after he left the governor's mansion, as we have already heard this evening, serving as president of Duke University and later as a United States Senator.

Through his life, he fought to improve education, promote racial healing, eradicate poverty, promote economic development and help his fellow man. Terry Sanford was more than a great and admired politician. He was one of the most accomplished Americans of our time. His North Carolina values and visionary leadership brought us through some of the most difficult challenges that our State faced. This gesture is the least we should do for a man who allowed us to view the world from his broad shoulders.

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

(Mr. ETHERIDGE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Further reserving the right to object, Mr. Speaker, Terry Sanford's leadership and diligence led Harvard University to name him as one of the most effective governors of the 20th Century. His service in the United States Senate is distinguished by hard work and loyalty to the interests of his constituents.

Duke University has benefited from his tenure as president. With wisdom and vision, he guided the university into becoming a leader in the field of medicine and law. I am proud to join in passing this bill to name this Federal building in his honor.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3982

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Terry Sanford Commemoration Act of 1998".

SEC. 2. FINDINGS.

Congress makes the following findings: